

**GOVERNMENT OF TELANGANA
A B S T R A C T**

Scheduled Castes Development Department –Land Acquisition for House Sites - Nizamabad District- Kukunur (V) – Vailpoor (M) - Land acquired to the extent of Ac.2-26 Gts. in Sy.Nos. 927 to 933, 940 to 942 for providing house sites to the weaker section people – Sanction of Rs.22,71,357/- towards payment of balance decretal charges in A.S. No.533/06 in O.P.No.128/97 –Orders -Issued.

SCHEDULED CASTES DEVELOPMENT (BUD.LA) DEPARTMENT

G.O.RT.No. 224

Dated: 23.5.2015.
Read the following:

1. From the Dist Collector, Nizamabad, Lr.NoG2/844/2007, dated: 30.9.2012.
2. From the Commissioner of Social Welfare, A.P., Hyderabad,
Lr.No.LA2/3339/2007, dated: 18.10.2012.
3. From the Spl. CS & CCLA, Hyderabad, Lr.No.SRP3/1284/2012,
dated: 01.02.2014.

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ORDER

In the reference 3rd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that the LAO/RDO, Nizamabad has acquired land to an extent of Ac.2-26 Gts. in Sy.Nos. 927 to 933, 940 to 942 situated at Kukunur Village, Vailpoor Mandal of Nizamabad Dist for providing house sites to the weaker section people vide his Award Procs.Rc.No.B2/9457/95, dated: 10.6.1996, duly fixing the land value @ Rs.35,500/- per acre and paid land compensation.

2. Dissatisfied with the compensation paid by the LAO/RDO, Nizamabad the awardees have filed protest /reference petitions U/s 18 of LA Act before the I Addl. Dist Judge, Nizamabad for adjudication and it was numbered as O.P.No.128/97. The I Addl. District Judge, Nizamabad has passed judgment and decree in O.P.No.128/97 on 21.10.2005, while enhancing the market value from Rs.1,93,600/- per acre or Rs.40/- per Sq Yd and directed to pay the land compensation with all admissible benefits of 30% solatium and 12% additional market value and 9% interest for one year and thereafter 15% interest till realization of the amount on the three components i.e., market value, 30% solatium and 12% Addl Market Value.

3. As per the opinion of GP, Nizamabad an appeal was filed in the Hon'ble High Court. The Hon'ble High Court passed interim orders for depositing the half of the enhanced compensation in LAASMP.No.2945/2006 (LAAS No.553/2006) on 01.02.2007. Accordingly, an amount of Rs.7,11,283/- only, has been deposited before the Lower Court vide Cheque No.836279, dated: 22.8.2008 on 28.8.2009 towards half of the decretal charges. Meanwhile, the claimants have filed Cross Objections in LAAS No.533/2006 in OP No.128/97 of this case and in LAAS No.611/2006 in 95/99. The GP for Appeals AP High Court has communicated the copy of judgment of Hon'ble Court dated: 19.9.2011 and informed that the Hon'ble High Court has heard both the appeals filed by the claimants in LAAS No.553/2006 in OP No.128/97 and LAAS No.611/06 in 95/99 and passed a Common Order dismissing the State Appeals and allowed the Cross Objections of the claimants in both the appeals and fixed the market value of the land @ Rs.60/- per Sq Yd from Rs.40/- per Sq Yd that allowed by the Lower Court.

4. The GP for Appeals, A.P., High Court has opined that there is no reason to file further appeal in this case and advised the LAO/RDO, Nizamabad to comply with the judgment. Accordingly the Dist Collector, Nizamabad has submitted proposals for sanction of Rs.22,77,975/- towards payment of balance decretal charges in LAAS No.553/2006 in OP No.128/97 acquired land to an extent of Ac.2-26 Gts in Sy.Nos. 927 to 933, 940 to 942 situated at Kukunur Village, Vailpoor Mandal of Nizamabad Dist for providing house sites to the weaker section people.

[P.T.O.]

5. After verification and scrutiny of the proposals submitted by the CSW, A.P., Hyderabad/Dist Collector, Nizamabad the Spl.CS & CCLA, A.P., Hyderabad has sent comparative calculation sheet for sanction of Rs.22,71,357/- towards payment of balance decretal charges in LAAS No.553/2006 in OP No.128/97, acquired land to an extent of Ac.2-26 Gts in Sy.Nos. 927 to 933, 940 to 942 situated at Kukunur Village, Vailpoor Mandal of Nizamabad District for providing house sites to the weaker section people and requested the Government to examine the proposal in consultation with the Law Department for sanction and release of decretal charges in respect of OP. No.128/97.

6. Government, after careful examination of the above proposal, hereby accord permission to the Director, Scheduled Caste Development Department, Telangana, Hyderabad for release an amount of Rs.22,71,357/- (Rupees Twenty two lakhs Seventy One thousand Three hundred and Fifty Seven only) to the District Collector, Nizamabad towards payment of balance decretal charges in LAAS No.553/2006 in OP No.128/97 for the land acquired land to an extent of Ac.2-26 Gts. in Sy.Nos. 927 to 933, 940 to 942 situated at Kukunur Village, Vailpoor Mandal of Nizamabad District for providing house sites to the weaker section people

7. The expenditure sanctioned in para (5) above shall be met within the B.E-2015-16 and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11- Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

8. The Director of SC Development Department, Telangana State Hyderabad is directed to issue necessary Proceedings to the District Collector, Nizamabad to comply with the Court orders in LAAS No.553/2006 in OP No.128/97.

9. The District Collector, Nizamabad shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

10. This order issues with the concurrence of Finance (EBS.III) Department, vide their U.O.No.3228/131/A1/EBS.III/2015, dated: 17.3.2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To

The Special Chief Secretary & Chief Commissioner of Land Administration,
Telangana State, Hyderabad.

The Director of Scheduled Castes Development Department, Hyderabad.

The District Collector, Nizamabad.

Copy to:

The Director of Treasury & Accounts, Telangana State, Hyderabad.

The Accountant General, Telangana State, Hyderabad.

The District Treasury Officer, Nizamabad District.

SF/SC.

//FORWARDED::BY ORDER//

SECTIONOFFICER